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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/073,266

02/13/2002

Scott V. Thomsen

3691-367

6813

23117

7590

07/19/2006

NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 07/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO. CONTROL NO. <i>10/093,246</i>	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION <i>Thomson et al.</i>	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20060710

DATE MAILED:

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Commissioner for Patents

## DETAILED ACTION

### *Response to Amendment*

1. The reply filed on 6/29/06 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

All pending claims are now directed to the non-elected Species of *only partially burning off* the DLC layer, whereas the claims that were examined in all previous actions were directed to the elected Species of *entirely burning off* the DLC layer (see paragraph 3 of final office action dated 2/3/06). Applicant is not allowed to switch inventions in an RCE (MPEP 706.07(h)) and therefore all pending claims remain withdrawn from further consideration as being directed to the non-elected Species.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jessica L. Rossi** whose telephone number is **571-272-1223**. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard D. Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1733

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**JESSICA ROSSI**  
**PRIMARY EXAMINER**

*Jessica Rossi*